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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/689,258 Confirmation No.: 2882
Applicants : Daniel E. Resasco, Walter E. Alvarez,
Jose E. Herrera and Leandro Balzano
Filed : 10/20/2003
TC/AU : 1754
Examiner : Stuart L. Hendrickson
Title : Method for Producing Single Walled Carbon
Nanotubes
Docket No. : 5820.640
Customer No. : 30589

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

Sir:

I, Christopher W. Corbett, Ph.D., having a mailing address of Dunlap, Coddling & Rogers, P.C., P.O. Box 16370, Oklahoma City, OK 73113, in the County of Oklahoma and the State of Oklahoma, represent that I am agent of record for Petitioner/Assignee, The Board of Regents of The University of Oklahoma, Norman, Oklahoma 73019, and has the authority to sign this document on behalf of Petitioner/Assignee.

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The Board of Regents of the University of Oklahoma owns one hundred percent (100%) of the right, title and interest in and to (1) U.S. Patent No. 6,333,016, issued on December 25, 2001, assignment recorded on December 3, 1999, Reel/Frame 10413/0730.

The Board of Regents of the University of Oklahoma owns one hundred percent (100%) of the right, title and interest in and to (1) U.S. Patent No. 7,094,386, issued on August 22, 2006, assignment recorded on December 3, 1999, Reel/Frame 10413/0730.

The Board of Regents of the University of Oklahoma owns one hundred percent (100%) of the right, title and interest in and to the above-identified patent application, U.S. Serial No. 10/689,258 filed on October 20, 2003, assignment recorded on July 16, 2002, Reel/Frame 013122/0027.

The assignment documents relating to U.S. Patent Nos. 6,333,016, and 7,094,386 and the above-identified application, U.S. Serial No. 10/689,258, have been reviewed and certified by Petitioner/Assignee and, to the best of Petitioner/Assignee's knowledge and belief, title is in the Petitioner/Assignee seeking to take this action.

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory

term defined in 35 U. S. C. §§ 154-156 and 173, and of the term as presently shortened by any terminal disclaimer of U.S. Patent Nos. 6,333,016 and 7,094,386 as presently shortened by any terminal disclaimers filed prior to the grants of any patents granted on pending applications.

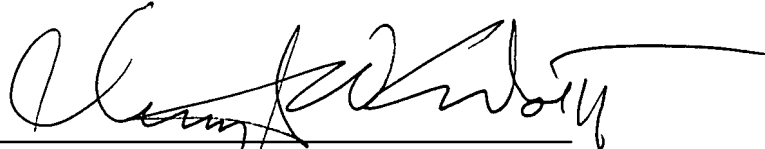
Petitioner further agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U. S. Patent Nos. 6,333,016 and 7,094,386.

This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the earlier of the term defined in 35 U.S.C. §§ 154-156 and 173, and of the term as presently shortened by any terminal disclaimer of said U.S. Patent Nos. 6,333,016 and 7,094,386 and of the terms of any patents granted on applications, as shortened by any terminal disclaimers filed prior to the patent grants, in the event that said U.S. Patent Nos. 6,333,016 and 7,094,386 later: (1) expire for failure to pay a maintenance fee; (2) are held unenforceable or are found invalid by a court of competent jurisdiction; (3) are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (4) have all claims canceled by a reexamination certificate; (5) are

reissued; or (6) are otherwise not deemed to provide the rights conveyed by 35 U.S.C. §§ 154-156 and 173 prior to the expiration of the full statutory term(s) as presently shortened by any terminal disclaimer(s), except for the separation of legal title stated above.

8/15/07
(Date)

By: 
Christopher W. Corbett, Ph.D.
DUNLAP, CODDING & ROGERS, P.C.
P.O. Box 16370
Oklahoma City, OK 73113
Telephone: (405) 607-8600
Telefax: (405) 607-8686

[X] Terminal disclaimer fee under 37 CFR 1.20(d) included.